

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 27 February 2006

Case No.: 2006-SOX-00038

In the Matter of

PETER YU
WILLIAM W. JAROSZ
Complainants,

v.

AIG, INC.
AIG CAPITAL PATERNS, INC.
AIG GLOBAL INVESTMENT CORPORATION
Respondents,

ORDER GRANTING COMPLAINANT'S MOTION
TO WITHDRAW THEIR CLAIM

This case arises out of a complaint of discrimination filed pursuant to the employee protection provisions of section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002, 18 USC 1514A (the Act). The Act affords protection from employment discrimination to employees of companies with a class of securities registered under section 12 of the Securities Exchange Act of 1934, 15 USC 781, and companies required to file reports under section 15(d) of the Securities Exchange Act of 1934. Specifically, the law protects "whistleblower" employees from retaliatory or discriminatory actions by the employer because the employees provided information to their employer, a federal agency, or Congress relating to alleged violations of 18 USC 1341, 1343, 1344, 1348, or any provision of federal law relating to fraud against shareholders.

Peter Yu and William W. Jarosz (Complainants) filed a complaint under the Act against AIG Inc., AIG Capital Partners, Inc, AIG Global Investment Corporation, (Respondents) on July 20, 2005. On November 28, 2005, Complainants received notification from the Regional Administrator of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, that their claim was being dismissed. Complainants appealed the Regional Administrator's decision on December 27, 2005 and requested a formal hearing before the Office of Administrative Law Judges. The case was assigned to me December 29, 2005 and I issued an order setting a hearing for February 2 and 3, 2006. At the request of the parties the claim was then rescheduled for hearing to March 20, 21, 22, 23 and 24, 2006.

On February 27, 2006 Complainants filed a request seeking to withdraw their complaint. Complainants stated that the parties have resolved all of their disputes with the AIG parties and, as part of the resolution, they have determined that their terminations were not retaliatory. Accordingly,

ORDER

It is hereby **ORDERED** that Complainant's motion to withdraw their claim is **GRANTED**. The formal hearing of this case scheduled for March 20, 21, 22, 23 and 24, 2006 in New York City, is hereby **CANCELLED**.

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PAUL H. TEITLER
Administrative Law Judge

Cherry Hill, New Jersey

NOTICE OF APPEAL RIGHTS: This decision shall become the final order of the Secretary of Labor pursuant to 29 C.F.R. § 1980.110, unless a petition for review is timely filed with the Administrative Review Board ("Board"), US Department of Labor, Room S-4309, 200 Constitution Avenue, NW, Washington DC 20210, and within 30 days of the filing of the petition, the ARB issues an order notifying the parties that the case has been accepted for review. The petition for review must specifically identify the findings, conclusions or orders to which exception is taken. Any exception not specifically urged ordinarily shall be deemed to have been waived by the parties. To be effective, a petition must be filed within ten business days of the date of the decision of the administrative law judge. The date of the postmark, facsimile transmittal, or e-mail communication will be considered to be the date of filing; if the petition is filed in person, by hand-delivery or other means, the petition is considered filed upon receipt. The petition must be served on all parties and on the Chief Administrative Law Judge at the time it is filed with the Board. Copies of the petition for review and all briefs must be served on the Assistant Secretary, Occupational Safety and Health Administration, and on the Associate Solicitor, Division of Fair Labor Standards, U.S. Department of Labor, Washington, DC 20210. See 29 C.F.R. §§ 1980.109(c) and 1980.110(a) and (b), as found OSHA, Procedures for the Handling of Discrimination Complaints Under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VIII of the Sarbanes-Oxley Act of 2002; Interim Rule, 68 Fed. Reg. 31860 (May 29, 2003).